

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:	)	
	)	
James D. Thacker	)	Group Art Unit: To Be Assigned
	)	(Parent Group Art Unit: 1645)
Application No.: To Be Assigned	)	
	)	Examiner: To Be Assigned
Filed: December 19, 2001	)	(Parent Examiner: P. Baskar)

j1036 U.S. PTO  
10/020923  
12/19/01

Title: METHODS FOR THE RAPID DETECTION OF ACTIVELY  
RESPIRING MICROORGANISMS (as amended)

Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicant is submitting herewith copies of references cited in Applicant's parent application serial no. 09/148,491. Each of the references are listed on the attached Form PTO-1449 (modified) for consideration and to be made of record herein by the U.S. Patent and Trademark Office in this application.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column in accordance with MPEP 609 are respectfully requested.

Since this Information Disclosure Statement is being submitted along with the filing of the above-captioned application, it is believed that no fees are due. However, if any fees are due, the Commissioner is hereby authorized to charge the required fees to the undersigned's Deposit Account No. 08-1641.

Respectfully submitted,  
Heller Ehrman White & McAuliffe LLP

Dated: December 19, 2001

By: 

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FORM PTO-1449 (Modified) (REV. 7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 38599.0015		APPLICATION NO. To Be Assigned	
LIST OF REFERENCES CITED BY APPLICANT  (Use several sheets if necessary)				APPLICANT James D. Thacker		FILING DATE December 19, 2001	
				GROUP To Be Assigned			

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12/19/01

U.S. PATENT DOCUMENTS													
*EXAMINER INITIAL	A	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A	4	0	2	6	7	6	7	5/31/77	SHIH et al.	195	103.5 M	
	B	4	7	2	8	6	0	8	3/1/88	ROBERTS et al.	435	34	
	C	5	1	6	8	0	6	3	12/1/92	DOYLE et al.	435	240.27	
	D												
	E												

FOREIGN PATENT DOCUMENTS															
*	F	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
		WO	96/	2	8	4	7	4						YES	NO
/	F	WO	96/	2	8	4	7	4	9/19/96	WIPO	C07K	17/00			
/	G	EP	0	429	794	A2			6/5/91	EPO	G01N	33/569			
-	H	JP	5-	2	0	7	8	95	8/93	Japan					
	I														
	J														
	K														
	L														
	M														

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)	
N	Database WPI, Week 9103, Derwent Publications Ltd., London, GB: AN 91-020477; GAZENKO et al., "Controlling cultivation of microorganisms – uses specified tetrazolium salts as specific substrates, and dehydrogenase activities as indicators"
O	International Search Report for PCT/US98/18588, dated June 14, 1999
P	Bovill, R. Comparison for the Fluorescent Redox Dye 5-Cyano-2, 3-Ditolyltetrazolium Chloride with p-Iodonitrotetrazolium Violet to Detect Metabolic Activity in Heat Stressed <i>Listeria monocytogenes</i> Cells. <i>J. of Applied Bacteriology</i> 77(4)353-358.
Q	Kumar S. Oxido-reductive Functions of <i>Entamoeba histolytica</i> in Relation to Virulence. <i>Ann of Tropical Med and Para</i> 86(3)239-248.
R	Antibodies, A Laboratory Manual; Harlow and Lane, Cold Spring Harbor Laboratory, 1986, Chapters 6 and 14

EXAMINER	DATE CONSIDERED
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.